
THIRD SUBSTITUTE HOUSE BILL 1226

State of Washington

59th Legislature

2006 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Schual-Berke, Tom, Haigh, Cody, Fromhold, Jarrett, Hudgins, Conway, Appleton, Flannigan, Murray, McCoy, Lantz, Hasegawa, Williams, Kagi, Ormsby, Morrell, Chase, Dickerson, Kenney and Sells)

READ FIRST TIME 2/7/06.

1 AN ACT Relating to campaign contribution limits; amending RCW
2 42.17.640 and 42.17.700; adding new sections to chapter 42.17 RCW; and
3 declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 42.17.640 and 2005 c 445 s 11 are each amended to read
6 as follows:

7 (1) The contribution limits in this section apply to:

8 (a) Candidates for state legislative office;

9 (b) Candidates for state office other than state legislative
10 office;

11 (c) Candidates for county office in a county that has over two
12 hundred thousand registered voters;

13 (d) Candidates for special purpose district office if that district
14 is authorized to provide freight and passenger transfer and terminal
15 facilities and that district has over two hundred thousand registered
16 voters;

17 (e) Persons holding an office in (a) through (d) of this subsection
18 against whom recall charges have been filed or to a political committee

1 having the expectation of making expenditures in support of the recall
2 of a person holding the office;

3 (f) Caucus political committees;

4 (g) Bona fide political parties.

5 (2) No person, other than a bona fide political party or a caucus
6 political committee, may make contributions to a candidate for a state
7 legislative office or county office that in the aggregate exceed seven
8 hundred dollars or to a candidate for a public office in a special
9 purpose district or a state office other than a state legislative
10 office that in the aggregate exceed one thousand four hundred dollars
11 for each election in which the candidate is on the ballot or appears as
12 a write-in candidate. Contributions to candidates subject to the
13 limits in this section made with respect to a primary may not be made
14 after the date of the primary. However, contributions to a candidate
15 or a candidate's authorized committee may be made with respect to a
16 primary until thirty days after the primary, subject to the following
17 limitations: (a) The candidate lost the primary; (b) the candidate's
18 authorized committee has insufficient funds to pay debts outstanding as
19 of the date of the primary; and (c) the contributions may only be
20 raised and spent to satisfy the outstanding debt. Contributions to
21 candidates subject to the limits in this section made with respect to
22 a general election may not be made after the final day of the
23 applicable election cycle.

24 ~~((+2))~~ (3) No person, other than a bona fide political party or a
25 caucus political committee, may make contributions to a state official,
26 a county official, or a public official in a special purpose district
27 against whom recall charges have been filed, or to a political
28 committee having the expectation of making expenditures in support of
29 the recall of the state official, county official, or public official
30 in a special purpose district during a recall campaign that in the
31 aggregate exceed seven hundred dollars if for a state legislative
32 office or county office or one thousand four hundred dollars if for a
33 special purpose district office or a state office other than a state
34 legislative office.

35 ~~((+3))~~ (4)(a) Notwithstanding subsection ~~((+1))~~ (2) of this
36 section, no bona fide political party or caucus political committee may
37 make contributions to a candidate during an election cycle that in the
38 aggregate exceed (i) seventy cents multiplied by the number of eligible

1 registered voters in the jurisdiction from which the candidate is
2 elected if the contributor is a caucus political committee or the
3 governing body of a state organization, or (ii) thirty-five cents
4 multiplied by the number of registered voters in the jurisdiction from
5 which the candidate is elected if the contributor is a county central
6 committee or a legislative district committee.

7 (b) No candidate may accept contributions from a county central
8 committee or a legislative district committee during an election cycle
9 that when combined with contributions from other county central
10 committees or legislative district committees would in the aggregate
11 exceed thirty-five cents times the number of registered voters in the
12 jurisdiction from which the candidate is elected.

13 ~~((4))~~ (5)(a) Notwithstanding subsection ~~((2))~~ (3) of this
14 section, no bona fide political party or caucus political committee may
15 make contributions to a state official, county official, or a public
16 official in a special purpose district against whom recall charges have
17 been filed, or to a political committee having the expectation of
18 making expenditures in support of the state official, county official,
19 or a public official in a special purpose district during a recall
20 campaign that in the aggregate exceed (i) seventy cents multiplied by
21 the number of eligible registered voters in the jurisdiction entitled
22 to recall the state official if the contributor is a caucus political
23 committee or the governing body of a state organization, or (ii)
24 thirty-five cents multiplied by the number of registered voters in the
25 jurisdiction from which the candidate is elected if the contributor is
26 a county central committee or a legislative district committee.

27 (b) No ~~((state))~~ official holding an office specified in subsection
28 (1) of this section against whom recall charges have been filed, no
29 authorized committee of the official, and no political committee having
30 the expectation of making expenditures in support of the recall of ~~((a~~
31 ~~state))~~ the official may accept contributions from a county central
32 committee or a legislative district committee during an election cycle
33 that when combined with contributions from other county central
34 committees or legislative district committees would in the aggregate
35 exceed thirty-five cents multiplied by the number of registered voters
36 in the jurisdiction from which the candidate is elected.

37 ~~((5))~~ (6) For purposes of determining contribution limits under

1 subsections ~~((+3) and)~~ (4) and (5) of this section, the number of
2 eligible registered voters in a jurisdiction is the number at the time
3 of the most recent general election in the jurisdiction.

4 ~~((+6))~~ (7) Notwithstanding subsections ~~((+1))~~ (2) through ~~((+4))~~
5 (5) of this section, no person other than an individual, bona fide
6 political party, or caucus political committee may make contributions
7 reportable under this chapter to a caucus political committee that in
8 the aggregate exceed seven hundred dollars in a calendar year or to a
9 bona fide political party that in the aggregate exceed three thousand
10 five hundred dollars in a calendar year. This subsection does not
11 apply to loans made in the ordinary course of business.

12 ~~((+7))~~ (8) For the purposes of RCW 42.17.640 through 42.17.790, a
13 contribution to the authorized political committee of a candidate~~((+7))~~
14 or of ~~((a state))~~ an official specified in subsection (1) of this
15 section against whom recall charges have been filed~~((+7))~~ is considered
16 to be a contribution to the candidate or ~~((state))~~ official.

17 ~~((+8))~~ (9) A contribution received within the twelve-month period
18 after a recall election concerning ~~((a state))~~ an office specified in
19 subsection (1) of this section is considered to be a contribution
20 during that recall campaign if the contribution is used to pay a debt
21 or obligation incurred to influence the outcome of that recall
22 campaign.

23 ~~((+9))~~ (10) The contributions allowed by subsection ~~((+2))~~ (3) of
24 this section are in addition to those allowed by subsection ~~((+1))~~ (2)
25 of this section, and the contributions allowed by subsection ~~((+4))~~
26 (5) of this section are in addition to those allowed by subsection
27 ~~((+3))~~ (4) of this section.

28 ~~((+10))~~ (11) RCW 42.17.640 through 42.17.790 apply to a special
29 election conducted to fill a vacancy in ~~((a state))~~ an office specified
30 in subsection (1) of this section. However, the contributions made to
31 a candidate or received by a candidate for a primary or special
32 election conducted to fill such a vacancy shall not be counted toward
33 any of the limitations that apply to the candidate or to contributions
34 made to the candidate for any other primary or election.

35 ~~((+11))~~ (12) Notwithstanding the other subsections of this
36 section, no corporation or business entity not doing business in
37 Washington state, no labor union with fewer than ten members who reside
38 in Washington state, and no political committee that has not received

1 contributions of ten dollars or more from at least ten persons
2 registered to vote in Washington state during the preceding one hundred
3 eighty days may make contributions reportable under this chapter to a
4 candidate, to a state official against whom recall charges have been
5 filed, or to a political committee having the expectation of making
6 expenditures in support of the recall of the official. This subsection
7 does not apply to loans made in the ordinary course of business.

8 ~~((+12+))~~ (13) Notwithstanding the other subsections of this
9 section, no county central committee or legislative district committee
10 may make contributions reportable under this chapter to a candidate(~~(a~~
11 ~~state official)~~) specified in subsection (1) of this section, or an
12 official specified in subsection (1) of this section against whom
13 recall charges have been filed, or political committee having the
14 expectation of making expenditures in support of the recall of ~~((a~~
15 ~~state))~~ an official specified in subsection (1) of this section if the
16 county central committee or legislative district committee is outside
17 of the jurisdiction entitled to elect the candidate or recall the
18 ~~((state))~~ official.

19 ~~((+13+))~~ (14) No person may accept contributions that exceed the
20 contribution limitations provided in this section.

21 ~~((+14+))~~ (15) The following contributions are exempt from the
22 contribution limits of this section:

23 (a) An expenditure or contribution earmarked for voter
24 registration, for absentee ballot information, for precinct caucuses,
25 for get-out-the-vote campaigns, for precinct judges or inspectors, for
26 sample ballots, or for ballot counting, all without promotion of or
27 political advertising for individual candidates; or

28 (b) An expenditure by a political committee for its own internal
29 organization or fund raising without direct association with individual
30 candidates.

31 NEW SECTION. Sec. 2. A new section is added to chapter 42.17 RCW
32 to read as follows:

33 (1) No person may make contributions to a candidate for the state
34 supreme court or court of appeals that in the aggregate exceed one
35 thousand four hundred dollars for each election in which the candidate
36 is on the ballot or appears as a write-in candidate. Contributions
37 made with respect to a primary may not be made after the date of the

1 primary. However, contributions to a candidate or a candidate's
2 authorized committee may be made with respect to a primary until thirty
3 days after the primary, subject to the following limitations: (a) The
4 candidate lost the primary; (b) the candidate's authorized committee
5 has insufficient funds to pay debts outstanding as of the date of the
6 primary; and (c) the contributions may only be raised and spent to
7 satisfy the outstanding debt. Contributions made with respect to a
8 general election may not be made after the final day of the applicable
9 election cycle.

10 (2) This section through RCW 42.17.790 apply to a special election
11 conducted to fill a vacancy in an office. However, the contributions
12 made to a candidate or received by a candidate for a primary or special
13 election conducted to fill such a vacancy will not be counted toward
14 any of the limitations that apply to the candidate or to contributions
15 made to the candidate for any other primary or election.

16 (3) No person may accept contributions that exceed the contribution
17 limitations provided in this section.

18 (4) The dollar limits in this section must be adjusted according to
19 RCW 42.17.690.

20 NEW SECTION. **Sec. 3.** A new section is added to chapter 42.17 RCW
21 to read as follows:

22 The commission shall adopt rules to carry out the policies of this
23 act and is not subject to the time restrictions of RCW 42.17.370(1).

24 **Sec. 4.** RCW 42.17.700 and 1993 c 2 s 10 are each amended to read
25 as follows:

26 (1) Contributions to candidates for state office made and received
27 before December 3, 1992, are considered to be contributions under RCW
28 42.17.640 through 42.17.790. Monetary contributions that exceed the
29 contribution limitations and that have not been spent by the recipient
30 of the contribution by December 3, 1992, must be disposed of in
31 accordance with RCW 42.17.095.

32 (2) Contributions to other candidates subject to the contribution
33 limits of this chapter made and received before the effective date of
34 this act are considered to be contributions under RCW 42.17.640 through
35 42.17.790. Contributions that exceed the contribution limitations and

1 that have not been spent by the recipient of the contribution by the
2 effective date of this act must be disposed of in accordance with RCW
3 42.17.095 except for subsections (6) and (7) of that section.

4 NEW SECTION. **Sec. 5.** This act is necessary for the immediate
5 preservation of the public peace, health, or safety, or support of the
6 state government and its existing public institutions, and takes effect
7 immediately.

--- END ---